

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

(Honolulu, Hawaii))

STEAM PRESS HOLDING, d/b/a
YOUNG LAUNDRY & DRYCLEANING 1/

Employer

and

JAYDENE D. SAVELLA, An Individual

Petitioner

and

HAWAII TEAMSTERS and allied WORKERS, LOCAL 996,
INTERNATIONAL BROTHERHOOD OF TEAMSTERS, AFL-CIO

Union

37-RD-320**DECISION AND DIRECTION OF ELECTION**

Upon a petition duly filed under Section 9(c) of the National Labor Relations Act, as amended, a hearing was held before a hearing officer of the National Labor Relations Board; hereinafter referred to as the Board.

Pursuant to the provisions of Section 3(b) of the Act, the Board has delegated its authority in this proceeding to the undersigned.

Upon the entire record in this proceeding, the undersigned finds:

1. The hearing officer's rulings made at the hearing are free from prejudicial error and are hereby affirmed.
2. The Employer is engaged in commerce within the meaning of the Act and it will effectuate the purposes of the Act to assert jurisdiction herein. 2/
3. The labor organization(s) involved claim(s) to represent certain employees of the Employer. 3/
4. A question affecting commerce exists concerning the representation of certain employees of the Employer within the meaning of Section 9(c)(1) and Section 2(6) and (7) of the Act. 4/
5. The following employees of the Employer constitute a unit appropriate for the purpose of collective bargaining within the meaning of Section 9(b) of the Act: 5/

All full-time and regular part-time drycleaning employees, non-commercial laundry employees, retail store employees, related store drivers, maintenance employees and janitorial employees employed by the Employer at its Honolulu, Hawaii facility; excluding all office clerical employees, managerial employees guards and/or watchpersons and supervisors as defined in the Act.

DIRECTION OF ELECTION

An election by secret ballot shall be conducted by the undersigned among the employees in the unit(s) found appropriate at the time and place set forth in the notice of election to be issued subsequently, subject to the Board's Rules and Regulations. Eligible to vote are those in the unit(s) who were employed during the payroll period ending immediately preceding the date of this Decision, including employees who did not work during that period because they were ill, on vacation, or temporarily laid off. Also eligible are employees engaged in an economic strike which

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commenced less than 12 months before the election date and who retained their status as such during the eligibility period and their replacements. Those in the military services of the United States may vote if they appear in person at the polls. Ineligible to vote are employees who have quit or been discharged for cause since the designated payroll period, employees engaged in a strike who have been discharged for cause since the commencement thereof and who have not been rehired or reinstated before the election date, and employees engaged in an economic strike which commenced more than 12 months before the election date and who have been permanently replaced. Those eligible shall vote whether or not they desire to be represented for collective bargaining purposes by **HAWAII TEAMSTERS and allied WORKERS, LOCAL 996, International Brotherhood of Teamsters, AFL-CIO.**

LIST OF VOTERS

In order to insure that all eligible voters may have the opportunity to be informed of the issues in the exercise of their statutory right to vote, all parties to the election should have access to a list of voters and their addresses which may be used to communicate with them. **Excelsior Underwear, Inc.**, 156 NLRB 1236 (1966); **NLRB. Wyman-Gordan Company**, 394 U.S. 759 (1969). Accordingly, it is hereby directed that with 7 days of the date of this Decision 3 copies of an election eligibility list, containing the full names and addresses of all the eligible voters, shall be filed by the Employer with the undersigned who shall make the list available to all parties to the election. **North Macon Health Care Facility**, 315 NLRB No. 50 (1994). In order to be timely filed, such list must be received in the Subregion 37 Office, 300 Ala Moana Boulevard, Room 7-245, Post Office Box 50208, Honolulu, Hawaii 96850, on or before February 12, **1999**. No extension of time to file this list shall be granted except in extraordinary circumstances, nor shall the filing of a request for review operate to stay the requirement here imposed.

RIGHT TO REQUEST REVIEW

Under the provisions of Section 102.67 of the Board's Rules and Regulations, a request for review of this Decision may be filed with the National Labor Relations Board, addressed to the **Executive Secretary, 1099-14th Street, NW, Washington, DC 20570-0001**. This request must be received by the Board in Washington by **February 19, 1999**.

Dated February 5, 1999

at San Francisco, California
Regional Director, Region 20

/s/ Alan B. Reichard

- 1/ The Petitioner's name is in accord with the stipulation of the parties.
- 2/ The parties stipulated, and I find, that the Employer is a State of Hawaii Corporation engaged in the business of laundry and dry cleaning at its locations in the City and County of Honolulu. During the 12-month period ending November 30, 1998, the Employer derived gross revenues in excess of \$500,000 and during the same period of time received goods and materials valued in excess of \$50,000 from suppliers located outside the State of Hawaii. Based on the parties' stipulation to such facts and the evidence in the record, it is concluded that the Employer is engaged in commerce and that it will effectuate the purposes and policies of the Act to assert jurisdiction herein.
- 3/ The parties stipulated, and I find, that Petitioner is a labor organization within the meaning of the Act.
- 4/ The parties stipulated that there is no collective bargaining agreement covering the employees in the unit sought herein, and that there is no contract bar to this proceeding.
- 5/ The Board has long held that the appropriate unit in a decertification election must be coextensive with the certified unit or the unit recognized by the employer in the existing contract unit. Campbell Soup Co., 111 NLRB 234 (1955); W.T. Grant Co., 179 NLRB 670 (1969); Mo's West, 238 NLRB 130 (1989). Accordingly, the unit appears as described in the Certification of Representative issued in Case 37-RD-282 which issued December 9, 1994.